

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HARLEY-DAVIDSON CREDIT
CORP.,

Plaintiff,

v.

ELWORTHS' HARLEY-DAVIDSON
SALES & SERVICE, INC., GREG
ELWORTH, and MARY JO
ELWORTH,

Defendants.

4:10CV3094

MEMORANDUM AND ORDER

On July 13, 2010, defendants' counsel were granted leave to withdraw. Defendant Elworths' Harley-Davidson Sales & Service, Inc. was given until August 13, 2010 in which to obtain the services of substitute counsel and have that attorney file an appearance on its behalf. Defendants Greg Elworth and Mary Jo Elworth were given until August 13, 2010 in which to either: (1) obtain the services of substitute counsel and have that attorney file an appearance in their behalf; or (2) indicate, by pleading, that they will litigate this case and their defenses without counsel. See filing no. 33. No attorney has entered an appearance on behalf of any of the defendants, and defendants Greg and Mary Jo Elworth have not advised the court of their intent to proceed *pro se*. The defendants did not participate in preparing the Rule 26(f) report of parties' planning conference. See filing no. 43.

Accordingly,

IT IS ORDERED:

- 1) The defendants are each given until September 9, 2010 to show cause why a default should not be entered. Absent timely compliance with this order, the court may enter a default against the non-complying defendant(s) without further notice.

- 2) The clerk shall mail a copy of this order to the defendants as follows:

Elworths' Harley-Davidson Sales & Service, Inc.
2311 Riverside Blvd.
Norfolk, NE 68701

Gregory J. Elworth
2311 Riverside Blvd.
Norfolk, NE 68701

Gregory J. Elworth
101 East Street
Hoskins, NE 68740

Mary Jo Elworth
514 Lincoln St.
Norfolk, NE 68701

Mary Jo Elworth
c/o Jan Einspahr, Attorney
601 S. 13th
P. O. Box 402
Norfolk, NE 68701

DATED this 24th day of August, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge